

REFERENCE TITLE: records redaction; officials; officers

State of Arizona  
Senate  
Forty-eighth Legislature  
First Regular Session  
2007

## **SB 1223**

Introduced by  
Senator Gray L

AN ACT

AMENDING SECTION 11-483, ARIZONA REVISED STATUTES, AS AMENDED BY LAWS 2006, CHAPTER 299, SECTION 2; AMENDING SECTION 11-484, ARIZONA REVISED STATUTES, AS AMENDED BY LAWS 2006, CHAPTER 299, SECTION 4; AMENDING SECTION 28-454, ARIZONA REVISED STATUTES; RELATING TO RECORDS REDACTION.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Section 11-483, Arizona Revised Statutes, as amended by  
3 Laws 2006, chapter 299, section 2, is amended to read:

4 11-483. Records maintained by county recorder; confidentiality;  
5 definitions

6 A. Notwithstanding any other provision of this article, in any county  
7 a peace officer, justice, judge, commissioner, public defender, prosecutor,  
8 **ELECTED OFFICIAL, CORRECTIONS OR DETENTION OFFICER, LAW ENFORCEMENT OR COURT**  
9 **SUPPORT STAFF MEMBER, MEMBER OF THE BOARD OF EXECUTIVE CLEMENCY**, victim of  
10 domestic violence or stalking or person who is protected under an order of  
11 protection or injunction against harassment may request that the general  
12 public be prohibited from accessing the unique identifier and the recording  
13 date contained in indexes of recorded instruments maintained by the county  
14 recorder and may request the recorder to prohibit access to that person's  
15 residential address and telephone number contained in instruments or writings  
16 **IN THE VOTING REGISTRATION RECORDS HELD BY THE COUNTY RECORDER AND IN**  
17 **INSTRUMENTS OR WRITINGS** recorded by the county recorder and made available on  
18 the internet.

19 B. A peace officer, justice, judge, commissioner, public defender,  
20 prosecutor, **ELECTED OFFICIAL, CORRECTIONS OR DETENTION OFFICER, LAW**  
21 **ENFORCEMENT OR COURT SUPPORT STAFF MEMBER, MEMBER OF THE BOARD OF EXECUTIVE**  
22 **CLEMENCY**, victim of domestic violence or stalking or person who is protected  
23 under an order of protection or injunction against harassment may request  
24 this action by filing an affidavit that states all of the following on an  
25 application form developed by the administrative office of the courts in  
26 agreement with an association of counties, an organization of peace officers  
27 and the motor vehicle division of the department of transportation:

- 28 1. The person's full legal name and residential address.
- 29 2. The full legal description and parcel number of the person's  
30 property.
- 31 3. The position the person currently holds and a description of the  
32 person's duties, except that a person who is a victim of domestic violence or  
33 stalking shall instead state that the person is a victim of domestic violence  
34 or stalking and shall attach documentation supporting the claim, including a  
35 true and correct copy of any of the following:
  - 36 (a) Findings from a court of competent jurisdiction.
  - 37 (b) Police reports.
  - 38 (c) Medical records.
  - 39 (d) Child protective services records.
  - 40 (e) Domestic violence shelter records.
  - 41 (f) School records.

42 4. The reasons the person reasonably believes that the person's life  
43 or safety or that of another person is in danger and that restricting access  
44 pursuant to this section will serve to reduce the danger.

1           5. The document locator number and recording date of each instrument  
2 for which the person requests access restriction pursuant to this section.

3           6. A copy of pages from each instrument that includes the document  
4 locator number and the person's full legal name and residential address or  
5 full legal name and telephone number.

6           C. If a peace officer, justice, judge, commissioner, public defender,  
7 prosecutor, **ELECTED OFFICIAL, CORRECTIONS OR DETENTION OFFICER, LAW**  
8 **ENFORCEMENT OR COURT SUPPORT STAFF MEMBER, MEMBER OF THE BOARD OF EXECUTIVE**  
9 **CLEMENCY**, victim of domestic violence or stalking or person who is protected  
10 under an order of protection or injunction against harassment is also  
11 requesting pursuant to section 11-484 that the general public be prohibited  
12 from accessing records maintained by the county assessor and county  
13 treasurer, the peace officer, justice, judge, commissioner, public defender,  
14 prosecutor, **ELECTED OFFICIAL, CORRECTIONS OR DETENTION OFFICER, LAW**  
15 **ENFORCEMENT OR COURT SUPPORT STAFF MEMBER, MEMBER OF THE BOARD OF EXECUTIVE**  
16 **CLEMENCY**, victim of domestic violence or stalking or person who is protected  
17 under an order of protection or injunction against harassment may combine the  
18 request pursuant to subsection B of this section with the request pursuant to  
19 section 11-484 by filing one affidavit. The affidavit and subsequent action  
20 by the appropriate authorities shall meet all of the requirements of this  
21 section and section 11-484.

22           D. The affidavit shall be filed with the presiding judge of the  
23 superior court in the county in which the affiant resides. To prevent a  
24 multiplicity of filings, a peace officer, public defender, ~~or~~ prosecutor,  
25 **CORRECTIONS OR DETENTION OFFICER OR LAW ENFORCEMENT OR COURT SUPPORT STAFF**  
26 **MEMBER** shall deliver the affidavit to the peace officer's commanding officer,  
27 or to the head of the prosecuting, **LAW ENFORCEMENT, CORRECTIONS, DETENTION** or  
28 public defender agency, as applicable, or that person's designee, who shall  
29 file the affidavits at one time. In the absence of an affidavit that  
30 contains a request for immediate action and that is supported by facts  
31 justifying an earlier presentation, the commanding officer, or the head of  
32 the prosecuting, **LAW ENFORCEMENT, CORRECTIONS, DETENTION** or public defender  
33 agency, as applicable, or that person's designee, shall not file affidavits  
34 more often than quarterly.

35           E. On receipt of an affidavit or affidavits, the presiding judge of  
36 the superior court shall file with the clerk of the superior court a petition  
37 on behalf of all requesting affiants. Each affidavit presented shall be  
38 attached to the petition. In the absence of an affidavit that contains a  
39 request for immediate action and that is supported by facts justifying an  
40 earlier consideration, the presiding judge may accumulate affidavits and file  
41 a petition at the end of each quarter.

42           F. The presiding judge of the superior court shall review the petition  
43 and each attached affidavit to determine whether the action requested by each  
44 affiant should be granted. If the presiding judge of the superior court  
45 concludes that the action requested by the affiant will reduce a danger to

1 the life or safety of the affiant or another person, the presiding judge of  
2 the superior court shall order that the recorder prohibit access ~~for five~~  
3 ~~years~~ to the affiant's residential address and telephone number contained in  
4 instruments or writings recorded by the county recorder and made available on  
5 the internet. If the presiding judge of the superior court concludes that  
6 the affiant or another person is in actual danger of physical harm from a  
7 person or persons with whom the affiant has had official dealings and that  
8 action pursuant to this section will reduce a danger to the life or safety of  
9 the affiant or another person, the presiding judge of the superior court  
10 shall order that the general public be prohibited ~~for five years~~ from  
11 accessing the unique identifier and the recording date contained in indexes  
12 of recorded instruments maintained by the county recorder and identified  
13 pursuant to subsection B of this section.

14 G. On motion to the court, if the presiding judge of the superior  
15 court concludes that an instrument or writing recorded by the county recorder  
16 has been redacted or sealed in error, that the original affiant no longer  
17 lives at the address listed in the original affidavit, that the cause for the  
18 original affidavit no longer exists or that temporary access to the  
19 instrument or writing is needed, the presiding judge may temporarily stay or  
20 permanently vacate all or part of the court order prohibiting public access  
21 to the recorded instrument or writing.

22 H. On entry of the court order, the clerk of the superior court shall  
23 file the court order and a copy of the affidavit required by subsection B of  
24 this section with the county recorder. No more than ten days after the date  
25 on which the county recorder receives the court order, the county recorder  
26 shall restrict access to the information as required by subsection F of this  
27 section.

28 I. If the court denies an affiant's request pursuant to this section,  
29 the affiant may request a court hearing. The hearing shall be conducted by  
30 the court in the county where the petition was filed.

31 ~~J. The recorder shall remove the restrictions on all records~~  
32 ~~restricted pursuant to this section by January 5 in the year after the court~~  
33 ~~order expires.~~

34 ~~K.~~ J. To include subsequent recordings in the court order, the peace  
35 officer, justice, judge, commissioner, public defender, prosecutor, **ELECTED**  
36 **OFFICIAL, CORRECTIONS OR DETENTION OFFICER, LAW ENFORCEMENT OR COURT SUPPORT**  
37 **STAFF MEMBER, MEMBER OF THE BOARD OF EXECUTIVE CLEMENCY**, victim of domestic  
38 violence or stalking or person who is protected under an order of protection  
39 or injunction against harassment shall present to the county recorder at the  
40 time of recordation a certified copy of the court order **OR SHALL PROVIDE TO**  
41 **THE COUNTY RECORDER THE RECORDING NUMBER OF THE COURT ORDER.** The recorder  
42 shall ensure that public access shall be restricted pursuant to subsection A  
43 of this section.

1           ~~L.~~ K. This section shall not be interpreted to restrict access to  
2 public records for the purposes of perfecting a lien pursuant to title 12,  
3 chapter 9, article 2.

4           ~~M.~~ L. This section does not prohibit access to the records of the  
5 county recorder by parties to the instrument, a title insurer, a title  
6 insurance agent or an escrow agent licensed by the department of insurance or  
7 the department of banking.

8           ~~N.~~ M. For the purposes of this section:

9           1. "Commissioner" means a commissioner of the superior court.

10           2. "Indexes" means only those indexes that are maintained by and  
11 located in the office of the county recorder, that are accessed  
12 electronically and that contain information beginning from and after January  
13 1, 1987.

14           3. "Judge" means a judge of the United States district court, the  
15 United States court of appeals, the United States magistrate court, the  
16 United States bankruptcy court, the Arizona court of appeals, the superior  
17 court or a municipal court.

18           4. "Justice" means a justice of the United States or Arizona supreme  
19 court or a justice of the peace.

20           5. "Peace officer" means any person vested by law, or formerly vested  
21 by law, with a duty to maintain public order and make arrests.

22           6. "Prosecutor" means a county attorney, a municipal prosecutor, the  
23 attorney general or a United States attorney and includes an assistant or  
24 deputy United States attorney, county attorney, municipal prosecutor or  
25 attorney general.

26           7. "Public defender" means a federal public defender, county public  
27 defender, county legal defender or county contract indigent defense counsel  
28 and includes an assistant or deputy federal public defender, county public  
29 defender or county legal defender.

30           8. "Stalking" means the course of conduct prescribed in section  
31 13-2923.

32           9. "Victim of domestic violence" means a person who is a victim of an  
33 offense defined in section 13-3601.

34           Sec. 2. Section 11-484, Arizona Revised Statutes, as amended by Laws  
35 2006, chapter 299, section 4, is amended to read:

36           11-484. Records maintained by county assessor and county  
37 treasurer; redaction; definitions

38           A. Notwithstanding any other provision of this article, in any county  
39 a peace officer, justice, judge, commissioner, public defender, prosecutor,  
40 **ELECTED OFFICIAL, CORRECTIONS OR DETENTION OFFICER, LAW ENFORCEMENT OR COURT**  
41 **SUPPORT STAFF MEMBER, MEMBER OF THE BOARD OF EXECUTIVE CLEMENCY**, victim of  
42 domestic violence or stalking or person who is protected under an order of  
43 protection or injunction against harassment may request that the general  
44 public be prohibited from accessing that person's residential address and

1 telephone number that are contained in instruments, writings and information  
2 maintained by the county assessor and the county treasurer.

3 B. A peace officer, justice, judge, commissioner, public defender,  
4 prosecutor, ELECTED OFFICIAL, CORRECTIONS OR DETENTION OFFICER, LAW  
5 ENFORCEMENT OR COURT SUPPORT STAFF MEMBER, MEMBER OF THE BOARD OF EXECUTIVE  
6 CLEMENCY, victim of domestic violence or stalking or person who is protected  
7 under an order of protection or injunction against harassment may request  
8 this action by filing an affidavit that states all of the following on an  
9 application form developed by the administrative office of the courts in  
10 agreement with an association of counties, an organization of peace officers  
11 and the motor vehicle division of the department of transportation:

12 1. The person's full legal name and residential address.

13 2. The full legal description and parcel number of the person's  
14 property.

15 3. The position the person currently holds and a description of the  
16 person's duties, except that a person who is a victim of domestic violence or  
17 stalking shall state that the person is a victim of domestic violence or  
18 stalking and shall attach documentation supporting the claim, including a  
19 true and correct copy of any of the following:

20 (a) Findings from a court of competent jurisdiction.

21 (b) Police reports.

22 (c) Medical records.

23 (d) Child protective services records.

24 (e) Domestic violence shelter records.

25 (f) School records.

26 4. The reasons the person reasonably believes that the person's life  
27 or safety or that of another person is in danger and that redacting the  
28 residential address and telephone number will serve to reduce the danger.

29 C. If a peace officer, justice, judge, commissioner, public defender,  
30 prosecutor, ELECTED OFFICIAL, CORRECTIONS OR DETENTION OFFICER, LAW  
31 ENFORCEMENT OR COURT SUPPORT STAFF MEMBER, MEMBER OF THE BOARD OF EXECUTIVE  
32 CLEMENCY, victim of domestic violence or stalking or person who is protected  
33 under an order of protection or injunction against harassment is also  
34 requesting pursuant to section 11-483 that the general public be prohibited  
35 from accessing records maintained by the county recorder, the peace officer,  
36 justice, judge, commissioner, public defender, prosecutor, ELECTED OFFICIAL,  
37 CORRECTIONS OR DETENTION OFFICER, LAW ENFORCEMENT OR COURT SUPPORT STAFF  
38 MEMBER, MEMBER OF THE BOARD OF EXECUTIVE CLEMENCY, victim of domestic  
39 violence or stalking or person who is protected under an order of protection  
40 or injunction against harassment may combine the request pursuant to  
41 subsection B of this section with the request pursuant to section 11-483 by  
42 filing one affidavit. The affidavit and subsequent action by the appropriate  
43 authorities shall meet all of the requirements of this section and section  
44 11-483.

1 D. The affidavit shall be filed with the presiding judge of the  
2 superior court in the county in which the affiant resides. To prevent a  
3 multiplicity of filings, a peace officer, public defender, ~~or~~ prosecutor,  
4 CORRECTIONS OR DETENTION OFFICER OR LAW ENFORCEMENT OR COURT SUPPORT STAFF  
5 MEMBER shall deliver the affidavit to the peace officer's commanding officer,  
6 or to the head of the prosecuting, LAW ENFORCEMENT, CORRECTIONS, DETENTION or  
7 public defender agency, as applicable, or that person's designee, who shall  
8 file the affidavits at one time. In the absence of an affidavit that  
9 contains a request for immediate action and that is supported by facts  
10 justifying an earlier presentation, the commanding officer, or the head of  
11 the prosecuting, LAW ENFORCEMENT, CORRECTIONS, DETENTION or public defender  
12 agency, as applicable, or that person's designee, shall not file affidavits  
13 more often than quarterly.

14 E. On receipt of an affidavit or affidavits, the presiding judge of  
15 the superior court shall file with the clerk of the superior court a petition  
16 on behalf of all requesting affiants. Each affidavit presented shall be  
17 attached to the petition. In the absence of an affidavit that contains a  
18 request for immediate action and that is supported by facts justifying an  
19 earlier consideration, the presiding judge may accumulate affidavits and file  
20 a petition at the end of each quarter.

21 F. The presiding judge of the superior court shall review the petition  
22 and each attached affidavit to determine whether the action requested by each  
23 affiant should be granted. If the presiding judge of the superior court  
24 concludes that the action requested by the affiant will reduce a danger to  
25 the life or safety of the affiant or another person, the presiding judge of  
26 the superior court shall order the redaction of the affiant's residential  
27 address and telephone number that are contained in instruments, writings and  
28 information maintained by the county assessor and the county treasurer. ~~The~~  
29 ~~redaction shall be in effect for five years.~~

30 G. On motion to the court, if the presiding judge of the superior  
31 court concludes that an instrument or writing maintained by the county  
32 assessor or the county treasurer has been redacted or sealed in error, that  
33 the original affiant no longer lives at the address listed in the original  
34 affidavit, that the cause for the original affidavit no longer exists or that  
35 temporary access to the instrument or writing is needed, the presiding judge  
36 may temporarily stay or permanently vacate all or part of the court order  
37 prohibiting public access to the instrument or writing.

38 H. On entry of the court order, the clerk of the superior court shall  
39 file the court order and a copy of the affidavit required by subsection B of  
40 this section with the county assessor and the county treasurer. No more than  
41 ten days after the date on which the county assessor and the county treasurer  
42 receive the court order, the county assessor and the county treasurer shall  
43 restrict access to the information as required by subsection F of this  
44 section.

1 I. If the court denies an affiant's request pursuant to this section,  
2 the affiant may request a court hearing. The hearing shall be conducted by  
3 the court in the county where the petition was filed.

4 ~~J. The county assessor and the county treasurer shall remove the~~  
5 ~~restrictions on all records that are redacted pursuant to this section by~~  
6 ~~January 5 in the year after the court order expires.~~

7 ~~K.~~ J. For the purposes of this section:

8 1. "Commissioner" means a commissioner of the superior court.

9 2. "Judge" means a judge of the United States district court, the  
10 United States court of appeals, the United States magistrate court, the  
11 United States bankruptcy court, the Arizona court of appeals, the superior  
12 court or a municipal court.

13 3. "Justice" means a justice of the United States or Arizona supreme  
14 court or a justice of the peace.

15 4. "Peace officer" means any person vested by law, or formerly vested  
16 by law, with a duty to maintain public order and make arrests.

17 5. "Prosecutor" means a county attorney, a municipal prosecutor, the  
18 attorney general or a United States attorney and includes an assistant or  
19 deputy United States attorney, county attorney, municipal prosecutor or  
20 attorney general.

21 6. "Public defender" means a federal public defender, county public  
22 defender, county legal defender or county contract indigent defense counsel  
23 and includes an assistant or deputy federal public defender, county public  
24 defender or county legal defender.

25 7. "Stalking" means the course of conduct prescribed in section  
26 13-2923.

27 8. "Victim of domestic violence" means a person who is a victim of an  
28 offense defined in section 13-3601.

29 Sec. 3. Section 28-454, Arizona Revised Statutes, is amended to read:

30 ~~28-454.~~ Records maintained by department of transportation;  
31 redaction; definitions

32 A. Notwithstanding sections 28-447 and 28-455, a peace officer,  
33 prosecutor, ~~or~~ code enforcement officer, ELECTED OFFICIAL, CORRECTIONS OR  
34 DETENTION OFFICER, LAW ENFORCEMENT OR COURT SUPPORT STAFF MEMBER, MEMBER OF  
35 THE BOARD OF EXECUTIVE CLEMENCY, VICTIM OF DOMESTIC VIOLENCE OR STALKING OR  
36 PERSON WHO IS PROTECTED UNDER AN ORDER OF PROTECTION OR INJUNCTION AGAINST  
37 HARASSMENT may request that persons be prohibited from accessing the ~~peace~~  
38 ~~officer's, prosecutor's or code enforcement officer's~~ PERSON'S residential  
39 address and telephone number contained in any record maintained by the  
40 department.

41 B. A peace officer, prosecutor, ~~or~~ code enforcement officer, ELECTED  
42 OFFICIAL, CORRECTIONS OR DETENTION OFFICER, LAW ENFORCEMENT OR COURT SUPPORT  
43 STAFF MEMBER, MEMBER OF THE BOARD OF EXECUTIVE CLEMENCY, VICTIM OF DOMESTIC  
44 VIOLENCE OR STALKING OR PERSON WHO IS PROTECTED UNDER AN ORDER OF PROTECTION  
45 OR INJUNCTION AGAINST HARASSMENT may request this action by filing an

1 affidavit that states all of the following on an application form developed  
2 by the administrative office of the courts in agreement with an association  
3 of counties, an organization of peace officers and the department:

4 1. The ~~peace officer's, prosecutor's or code enforcement officer's~~  
5 PERSON'S full legal name and residential address.

6 2. The position the ~~peace officer, prosecutor or code enforcement~~  
7 ~~officer~~ PERSON currently holds and a description of the ~~peace officer's,~~  
8 ~~prosecutor's or code enforcement officer's~~ PERSON'S duties, EXCEPT THAT A  
9 PERSON WHO IS A VICTIM OF DOMESTIC VIOLENCE OR STALKING SHALL STATE THAT THE  
10 PERSON IS A VICTIM OF DOMESTIC VIOLENCE OR STALKING AND SHALL ATTACH  
11 DOCUMENTATION SUPPORTING THE CLAIM, INCLUDING A TRUE AND CORRECT COPY OF ANY  
12 OF THE FOLLOWING:

- 13 (a) FINDINGS FROM A COURT OF COMPETENT JURISDICTION.
- 14 (b) POLICE REPORTS.
- 15 (c) MEDICAL RECORDS.
- 16 (d) CHILD PROTECTIVE SERVICES RECORDS.
- 17 (e) DOMESTIC VIOLENCE SHELTER RECORDS.
- 18 (f) SCHOOL RECORDS.

19 3. The reasons the ~~peace officer, prosecutor or code enforcement~~  
20 ~~officer~~ PERSON reasonably believes that the ~~peace officer's, prosecutor's or~~  
21 ~~code enforcement officer's~~ PERSON'S life or safety or that of another person  
22 is in danger and that redacting the residential address and telephone number  
23 from the department's public records will serve to reduce the danger.

24 C. The affidavit shall be filed with the presiding judge of the  
25 superior court in the county in which the affiant resides. To prevent a  
26 multiplicity of filings, a peace officer, prosecutor, ~~or~~ code enforcement  
27 officer, CORRECTIONS OR DETENTION OFFICER OR LAW ENFORCEMENT OR COURT SUPPORT  
28 STAFF MEMBER shall deliver the affidavit to the peace officer's commanding  
29 officer, or to the head of the prosecuting LAW ENFORCEMENT, CORRECTIONS,  
30 DETENTION or code enforcement agency, as applicable, or that person's  
31 designee, who shall file the affidavits at one time. In the absence of an  
32 affidavit that contains a request for immediate action and that is supported  
33 by facts justifying an earlier presentation, the commanding officer, or the  
34 head of the prosecuting, LAW ENFORCEMENT, CORRECTIONS, DETENTION or code  
35 enforcement agency, as applicable, or that person's designee, shall not file  
36 affidavits more often than quarterly.

37 D. On receipt of an affidavit or affidavits, the presiding judge of  
38 the superior court shall cause to be filed with the clerk of the superior  
39 court a petition on behalf of all requesting ~~peace officers, prosecutors and~~  
40 ~~code enforcement officers~~ AFFIANTS. Each affidavit presented shall be  
41 attached to the petition. In the absence of an affidavit that contains a  
42 request for immediate action and that is supported by facts justifying an  
43 earlier consideration, the presiding judge may accumulate affidavits and file  
44 a petition at the end of each quarter.

1 E. The presiding judge of the superior court shall review the petition  
2 and each attached affidavit to determine whether the action requested by each  
3 ~~peace officer, prosecutor and code enforcement officer~~ AFFIANT should be  
4 granted. The presiding judge of the superior court shall order the redaction  
5 of the residence address and telephone number from the public records  
6 maintained by the department if the judge concludes that this action will  
7 reduce a danger to the life or safety of the affiant or another person.

8 F. On entry of the court order, the clerk of the superior court shall  
9 file the court order with the department. No more than one hundred fifty  
10 days after the date the department receives the court order, the department  
11 shall redact the residence addresses and telephone numbers of the ~~peace~~  
12 ~~officers, prosecutors and code enforcement officers~~ AFFIANTS listed in the  
13 court order from the public records of the department. The residence  
14 addresses and telephone numbers shall not be disclosed and are not part of a  
15 public record.

16 G. If the court denies an affiant's request pursuant to this section,  
17 the affiant may request a court hearing. The hearing shall be conducted by  
18 the court in the county where the petition was filed.

19 H. On motion to the court, if the presiding judge of the superior  
20 court concludes that a residential address or telephone number has been  
21 sealed in error or that the cause for the original affidavit no longer  
22 exists, the presiding judge may vacate the court order prohibiting public  
23 access to the residential address or telephone number.

24 I. Notwithstanding sections 28-447 and 28-455, the department shall  
25 not release a photograph of a peace officer if the peace officer has made a  
26 request as prescribed in this section that persons be prohibited from  
27 accessing the peace officer's residential address and telephone number in any  
28 record maintained by the department.

29 J. This section does not prohibit the use of a peace officer's  
30 photograph that is either:

- 31 1. Used by a law enforcement agency to assist a person who has a  
32 complaint against an officer to identify the officer.
- 33 2. Obtained from a source other than the department.

34 K. For the purposes of this section:

35 1. "Code enforcement officer" means a person who is employed by a  
36 state or local government and whose duties include performing field  
37 inspections of buildings, structures or property to ensure compliance with  
38 and enforce national, state and local laws, ordinances and codes.

39 2. "Prosecutor" means a county attorney, a municipal prosecutor or the  
40 attorney general and includes an assistant or deputy county attorney,  
41 municipal prosecutor or attorney general.

42 3. "STALKING" MEANS THE COURSE OF CONDUCT PRESCRIBED IN SECTION  
43 13-2923.

44 4. "VICTIM OF DOMESTIC VIOLENCE" MEANS A PERSON WHO IS A VICTIM OF AN  
45 OFFENSE DEFINED IN SECTION 13-3601.